



CERTIFICATE OF MAILING BY FIRST-CLASS MAIL

I hereby certify that the below identified Applicant's Declaration Under 37 C.F.R. § 1.132 is being deposited as first-class mail this date with the United States Postal Service in an envelope addressed to Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Date February 10, 2005

By: 
Beverly Fletcher

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant: **Jill Stamm, et al.** Docket No.: **39672.0200**
Serial No.: **10/028,335;** Confirmation No.: **2536** Art Unit: **3712**
Filing Date: **December 21, 2001** Examiner: **Suhol, Dmitry**
Title: **SYSTEM AND METHOD FOR FACILITATING EARLY CHILDHOOD BRAIN
DEVELOPMENT**

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

I, JILL STAMM, declare as follows:

1. I am a co-inventor of the subject matter described and claimed in United States patent application Serial No. 10/028,335, filed December 21, 2001, entitled "**SYSTEM AND METHOD FOR FACILITATING EARLY CHILDHOOD BRAIN DEVELOPMENT**", which subject matter is disclosed and claimed in the above-referenced patent application.

2. In my work as a Professor in Educational Psychology with an emphasis in Learning, I deal with individuals who specialize in child brain development. I also work with non profit organizations, social workers, schools and other such organizations that are looking to implement teaching tools to focus on early childhood brain development.

3. I believe (and many of these individuals have commented that), while there are many books and toys that exist which may help a child develop; none of the present products, such as the “Brilliant Beginnings” product, allow caregivers to determine an area of child brain development or future school skill development that they desire to improve in children.

4. Accordingly, I helped develop a product which allows caregivers to choose activities that include associated activity cards which explain how an activity should be implemented and directly identify how the activity relates to a specific area of brain development and future school skill development.

5. As a result, caregivers have purchased the invention (as claimed in the above patent application) because it offers both usability and teachability. For example, customers have commented that they purchased the product (and will purchase more in the future), because the product includes:

- (i) caregiver directions for how to conduct an interactive play session with a child,
- (ii) activities associated with various activity items (toys, books, etc.) that stimulate the various stages of brain development and promotes healthy early brain development,
- (iii) a description of the importance of each activity to the development of the brain,
- (iv) a description of the importance of each activity to said early development of future school skills,
- (v) background information about each type of activity,
- (vi) the child’s age for which each activity is targeted,
- (vii) suggestions about what to say to a child, and

(viii) extensions and variations of each activity to accomplish the same defined goal (the specific aspect of brain development or future school skill development).

6. The method and product described in the present application (called “the Brain Box”) has enjoyed great commercial success in that we have never had a backlog of product and cannot manufacture our product quickly enough to meet all the demand. As such, each unit that we have manufactured has been purchased instantaneously.

7. The Brain Box is expensive compared to the Brilliant Beginnings books, for the Brain Box set is priced at approximately \$1500 while the Brilliant Beginnings books cost approximately \$40 each.

8. The Brain Box does not have a high profit margin. The pricing of the product is driven by manufacturing constraints--we can only produce 30 sets per manufacturing cycle.

9. Since we began selling the invention in limited areas, and despite the high price of the Brain Box, we have been met with an overwhelmingly positive response from not only the childcare community, but also from libraries, public schools, business leaders, private foundations, university faculty and parents.

10. Examples of our current sales are as follows:

(i) Seventy-five complete sets are now in use throughout the greater Phoenix area.

(ii) These sets were purchased for use in the Phoenix Public Library System, in 17 individual school districts, in 8-10 child daycare businesses, and several for home use.

(iii) Arizona’s Governor Janet Napolitano’s office has also expressed an interest in the Brain Boxes for their comprehensive, instructional capabilities.

11. My company that sells the Brain Boxes has over \$112,000 in gross sales of the current invention.

12. In addition, we have outstanding orders for 40 more units, including 30 units to the Yuma School District this year with an additional 20 units per/year thereafter and 9 sets to the Maricopa Community College system in their Child Development Centers.

13. None of these purchasers are normally tied or associated to myself or to the assignee, New Directions Institute.

14. Because I have done little to no advertising, these sales can all be attributed to the uniqueness of the present invention (e.g., correlation of activities to brain development and future school skills).

15. For example, I have never advertised the present invention on the Internet, in print, on television, on radio, and/or in any other medium. In fact, I have not spent any money on advertising.

16. The only "advertising" that I have completed is by way of mentioning the present invention (called the "Brain Box") in response to inquiries that I have received from consumers wondering where they can find a product that A) establishes a brain development link to a specific area of the brain by analyzing different activities to determine how the different activities stimulate various stages of brain development, such as security and emotional attachment, touch and sensory integration, vision and visual discrimination, play and playfulness, and sound and auditory discrimination and B) establishes a school skill link by determining how the activities promote early development of future school skills in a child.

17. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated: 1/3/05

By: Jill Stamm, Ph.D.
Dr. Jill Stamm

Declaration

I, Billie J. Enz declare as follows:

1. I am a Professor of Early Childhood Education (insert job description). As such I am experienced with the different products in the market that target early child brain development. I am familiar with both the "Brilliant Beginnings" books distributed by Brilliant Beginnings, LLC, and I have purchased the "Brain Box" product distributed by Dr. Jill Stamm.

2. I first heard about the Brain Box at a seminar/workshop I attended recently wherein Dr. Jill Stamm was presenting on early childhood development.

3. Before I purchased the Brain Box, I could not find a product that allowed me to determine an area of child brain development or future school skill development that I desired to improve in children. Additionally, I could not find a product which allowed me to choose activities that included associated activity cards which not only explained how the activity should be implemented, but significantly, directly identified how the activity related to a specific area of brain development and future school skill development.

4. I purchased the Brain Box because, unlike other products, it establishes a brain development link to a specific area of the brain by analyzing different activities to determine how the different activities stimulate various stages of brain development, such as security and emotional attachment, touch and sensory integration, vision and visual discrimination, play and playfulness, and sound and auditory discrimination.

5. I also purchased the Brain Box because it is unique in that it establishes a school skill link by determining how the activities promote early development of future school skills in a child.

6. Further, I found that the Brain Box has multiple additional features that make it both extremely teachable and usable for not only myself, but for others who do not specialize in child development. For instance, the product includes:

- (i) easy to understand caregiver directions (in both English and Spanish) for how to conduct an interactive play session with a child,
- (ii) activities associated with various activity items (toys, books, etc.) that stimulate the various stages of brain development and promote early brain development,
- (iii) a description of the importance of each activity to the development of the brain,
- (iv) a description of the importance of each activity to said early development of future school skills,
- (v) background information about each type of activity,
- (vi) the child's age for which each activity is targeted,
- (vii) suggestions about what to say to a child, and
- (viii) extensions and variations of each activity.

7. I have found that since I started using the Brain Box, I have been able to engage a child's attention much more effectively using the different activity items associated with each activity card during an interactive play session.

8. Since I began using the Brain Box product, I have noticed a significant improvement in the development of school skills in the children engaged in the activities. I did not notice this type of improvement when I used the Brilliant Beginnings product with children.

9. I have told others to purchase the Brain Box based on the characteristics and experiences I have had with the product, described above.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated: Feb 2, 2005

By: Billie J. Enz

Declaration

I, Dawn Foley, declare as follows:

1. I am a ASU East / Full Time Lecturer (insert job description). As such I am experienced with the different products in the market that target early child brain development. I am familiar with both the "Brilliant Beginnings" books distributed by Brilliant Beginnings, LLC, and I have purchased the "Brain Box" product distributed by Dr. Jill Stamm.
2. I first heard about the Brain Box at a seminar/workshop I attended recently wherein Dr. Jill Stamm was presenting on early childhood development.
3. Before I purchased the Brain Box, I could not find a product that allowed me to determine an area of child brain development or future school skill development that I desired to improve in children. Additionally, I could not find a product which allowed me to choose activities that included associated activity cards which not only explained how the activity should be implemented, but significantly, directly identified how the activity related to a specific area of brain development and future school skill development.
4. I purchased the Brain Box because, unlike other products, it establishes a brain development link to a specific area of the brain by analyzing different activities to determine how the different activities stimulate various stages of brain development, such as security and emotional attachment, touch and sensory integration, vision and visual discrimination, play and playfulness, and sound and auditory discrimination.
5. I also purchased the Brain Box because it is unique in that it establishes a school skill link by determining how the activities promote early development of future school skills in a child.

6. Further, I found that the Brain Box has multiple additional features that make it both extremely teachable and usable for not only myself, but for others who do not specialize in child development. For instance, the product includes:

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(iii) a description of the importance of each activity to the development of the brain,

(iv) a description of the importance of each activity to said early development of future school skills,

(v) background information about each type of activity,

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9. I have told others to purchase the Brain Box based on the characteristics and experiences I have had with the product, described above.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated: Feb 1, 2005

By: Dawn Ann Foley

Declaration

I, Debbie Pischke, declare as follows:

1. I am a preschool/kindergarten (insert job description). As such I am experienced with the different products in the market that target early child brain development. I am familiar with both the “Brilliant Beginnings” books distributed by Brilliant Beginnings, LLC, and I have purchased the “Brain Box” product distributed by Dr. Jill Stamm.
director
2. I first heard about the Brain Box at a seminar/workshop I attended recently wherein Dr. Jill Stamm was presenting on early childhood development.
3. Before I purchased the Brain Box, I could not find a product that allowed me to determine an area of child brain development or future school skill development that I desired to improve in children. Additionally, I could not find a product which allowed me to choose activities that included associated activity cards which not only explained how the activity should be implemented, but significantly, directly identified how the activity related to a specific area of brain development and future school skill development.
4. I purchased the Brain Box because, unlike other products, it establishes a brain development link to a specific area of the brain by analyzing different activities to determine how the different activities stimulate various stages of brain development, such as security and emotional attachment, touch and sensory integration, vision and visual discrimination, play and playfulness, and sound and auditory discrimination.
5. I also purchased the Brain Box because it is unique in that it establishes a school skill link by determining how the activities promote early development of future school skills in a child.

6. Further, I found that the Brain Box has multiple additional features that make it both extremely teachable and usable for not only myself, but for others who do not specialize in child development. For instance, the product includes:

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Dated: 2-5-05

By: Rebecca P. Smith

Declaration

I, Michelle Rhodes declare as follows:

1. I am a Program Coordinator for Leaps & Bounds (insert job description). As such I am experienced with the different products in the market that target early child brain development. I am familiar with both the "Brilliant Beginnings" books distributed by Brilliant Beginnings, LLC, and I have purchased the "Brain Box" product distributed by Dr. Jill Stamm.
2. I first heard about the Brain Box at a seminar/workshop I attended recently wherein Dr. Jill Stamm was presenting on early childhood development.
3. Before I ~~purchased~~ ^{did not purchase - but used} the Brain Box, I could not find a product that allowed me to determine an area of child brain development or future school skill development that I desired to improve in children. Additionally, I could not find a product which allowed me to choose activities that included associated activity cards which not only explained how the activity should be implemented, but significantly, directly identified how the activity related to a specific area of brain development and future school skill development.
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(iii) a description of the importance of each activity to the development of the brain,

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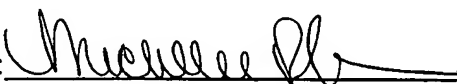
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Dated: 2/7/05

By: 

Job Description

Graduate Research Assistant/Project Coordinator for the Leaps and Bounds Program: A Kindergarten Readiness Program (for children ages 3-5 years)

Duties and Responsibilities:

Under the direction of Marilyn LaCount, Office of Youth Preparation, and Dr. Billie Enz, Department of Early Childhood Education, coordinate the Leaps and Bounds Program and perform research activities including data collection, database development, maintenance, and analysis, and evaluation for research project.

Program Coordination:

The program coordinator is responsible for the design and management of the Leaps and Bounds Program, including training and supervision of Teaching Facilitators and Student Interns. Program coordinator serves as Internship course Instructor and is responsible for designing course materials and syllabus. Responsibilities also include the design and organization of program materials including; program description, program curriculum, lesson plans, parent and facilitator guides, strategic plan for the next 2 to 3 years, and performance evaluations. Program Coordinator is responsible for obtaining all program supplies and materials and is responsible for coordinating the Train-the-Trainer Workshop each year. The program coordinator maintains positive relationships with staff members, parents and families. Acts as liaison with ASU and school sites' personnel.

Research Coordination:

Responsibilities also include database design and development (using SPSS), data collection, data entry, and supervision of research assistants. Designs and updates consent form, surveys, and follow-up forms as necessary. Conducts one-month follow-up interviews on a sample of the program's population. Also conducts complex research work and independently reviews professional literature to design appropriate research methodologies, techniques, and procedures. Co-authors or authors research papers and manuscripts for publication and presents them at conferences and workshops. Performs complex statistical analyses, which include selecting appropriate analysis procedure and producing written reports as necessary.

Program coordinator performs all of the above responsibilities in conjunction with the Leaps and Bounds Program Committee.

Qualifications:

Education: Bachelor's degree. Prefer advanced degree (i.e., Master's degree or Ph.D. student).

Experience: Education, research, or related.

Special Qualifications:

- Possess excellent communication skills; both written and verbal communication to be used to enhance the image of the department.
- Experience with curriculum design and management.
- Supervisory experience of several staff members.
- Punctuality, conscientiousness and strong personal commitment to achieving required results are highly desirable characteristics;

Degree of Supervision: Must work independently, under the direction of Marilyn LaCount, Office of Youth Preparation, and Dr. Billie Enz, Department of Early Childhood Education.